



DAE \$ #37

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of: Heath et al.

Atty Docket: 003/029/SAP

Serial No.: 08/699,716

Examiner: Duffy, P.

Filed: August 27, 1996

Group Art Unit: 1645

Title: Recombinant F1-V Plague Vaccine

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**PETITION FOR REVIVAL OF APPLICATION**

Today's date: June 4, 2003

Mail Stop Petition  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**RECEIVED**  
JUN 09 2003

OFFICE OF PETITIONS

Sir:

This is a petition for revival of an application for patent abandoned unintentionally under 37 CFR 1.137(b), 37 CFR 1.155(c) or 1.316(c).

The above-identified application became abandoned for failure to file a timely and proper response to the Final Office Action mailed on November 5, 2002, which set a 6 month period for response. The abandonment date of this application is May 6, 2003 (i.e. the day after the expiration date of the period set for response plus any extensions of time obtained therefore).

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

1. Petition fee

- ☐ Small entity - fee \$ \_\_\_\_\_ (37 CFR 1.17(m))  
☐ Small entity statement enclosed herewith.  
☐ Small entity statement previously filed.

☒ Other than small entity - fee \$1,300.00 (37 CFR 1.17(m)) in the form of a check payable to the Commissioner for Patents.

2. Proposed response and/or fee

A. The proposed response and fee to the above-noted Office Action in the form of response

- ☐ has been filed previously on \_\_\_\_\_.  
☒ is enclosed herewith.

B. The issue fee of \$ \_\_\_\_\_

- ☐ has been paid previously on \_\_\_\_\_.  
☐ is enclosed herewith.

3. Verified statement

The delay caused by the abandonment of the application was unintentional.

06/06/2003 RMDRDF1 00000047 08699716 1300.00 OP  
01 FC:1453

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Date: June 4, 2003

 Sana A. Pratt, Reg. No. 39,441  
Elizabeth Arwine, Reg. No. 45,867

U.S. A. MRMC  
504 Scott Street  
Fort Detrick, MD 21702-5012  
ATTN: MCMR-JA (Elizabeth Arwine - Patent Atty)

Enclosures

- ☒ Two pages of Response with one page Deposit letter from ATCC
- ☒ Fee Payment in the form of check payable to Commissioner of Patents
- ☐ Small Entity Status Form
- ☐ Other

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Mail Stop Petition, Commissioner for Patents, P.O.Box 1450, Alexandria, VA 22313-1450.

June 4, 2003  
Date

  
Signature

Sana A. Pratt, Reg. No. 39,441  
Typed or printed name of person signing Certificate